IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FIRST DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

and
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION No: 6295 of 2005

Between:

Ahmed Khan S/o. Mahaboob Khan,
R/o. 6-3-1242/126/2, Muqtha, Muqtha,
Opp: Raj Bhavan, Hyderabad.

..... PETITIONER

AND

The Joint Transport Commissioner and Secretary,
Regional Transport Authority, Hyderabad.

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondent in issuing the Notice dt. 4-11-2004 through his proceedings No. 18683/B3/HC/2003, as illegal and arbitrary and consequently direct the respondent herein to receive the quarterly tax regularly by issuing the tax token in respect of the vehicle bearing No. APQ 4287 and pass such other or further order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.ARIFULLA

Counsel for the Respondent: GP FOR TRANSPORT

The Court made the following:

THE HON'BLE SRI JUSTICE G. BIKSHAPATHY

AND

THE HON'BLE SRI JUSTICE P.S. NARAYANA

WRIT PETITION No.6295 of 2005

ORAL ORDER:- (PER GB,J.)

The Writ Petition is filed against the action of the respondent in issuing the show-cause notice, dated 04.11.2004, and to direct the respondent to receive the quarterly tax regularly by issuing the tax token in respect of the vehicle bearing No. AP Q 4287.

2. On the earlier occasion the learned Government was asked to obtain instructions. On instructions now he submits that the petitioner was already issued with the show-cause notice, dated 04.11.2004, and the matter is pending adjudication, and under those circumstances, he submits that a direction may be issued to the authorities to issue the tax token for collection of appropriate tax as per Rules.

3. Accordingly, the Writ Petition is disposed of, directing the authorities to release the tax token after collecting necessary tax from the petitioner. However, this order does not preclude the authorities for passing final orders in pursuance of the show-

cause notice, dated 04.11.2004.

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G. BIKSHAPATHY, J

Date: 01.04.2005

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P.S. NARAYANA, J

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Note:- Issue copy by 04.04.2005

B/o.

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To

1. The Joint Transport Commissioner and Secretary,
Regional Transport Authority, Hyderabad.

2. 2 CCs to the GP for Transport, High Court of A.P., Hyderabad (OUT).

3. 2 CD copies

4. 1 CC to MR.ARIFULLA